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PTO/SB/30 (09-04)

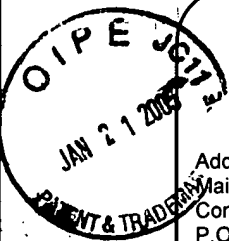
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2881



Request For Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/578,998
Filing Date	05/25/2000
First Named Inventor	Kori Inoue
Art Unit	2881
Examiner Name	Gurzo, Paul M.
Attorney Docket Number	10720/14

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
ii. ☐ Other _____

- b. ☒ Enclosed

- i. ☐ Amendment/Reply
ii. ☐ Affidavit(s)/Declaration(s)
iii. ☒ Information Disclosure Statement (IDS)
iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)
b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 502811. I have enclosed a duplicate copy of this sheet.

- i. ☐ RCE fee required under 37 C.F.R. 1.17(e)
ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)
iii. ☐ Other _____

- b. ☒ Check in the amount of \$ 790 enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Vanessa J. Owen</i>	Date	January 21, 2005
Name (Print /Type)	Vanessa J. Owen	Registration No. (Attorney/Agent)	44,274

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Vanessa J. Owen</i>	Date	January 21, 2005
Name (Print /Type)	Vanessa J. Owen		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

01/26/2005 HAL111 00000124 09578998 need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PATENT
ATTORNEY DOCKET NO. 10720/14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Inoue et al.	Examiner:	Paul M. Gurzo
Serial No.:	09/578,998	Group Art Unit:	2881
Filed:	May 25, 2000		

Title: MULTI-COMPONENT GAS ANALYZING METHOD USING FTIR

Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CONTINUING EXAMINATION

Sir:

This is a Request for Continuing Examination (RCE) filed pursuant to 37 CFR 1.114. Submitted herewith is an Information Disclosure Statement (IDS) citing new references for the Examiner's consideration.

REMARKS

Claims 21-39 have been allowed as indicated in a Notice of Allowance mailed October 21, 2004. Additionally, no new claims have been added, and no claims have been amended or deleted. The issue fee, due on January 21, 2005, has not been paid. Rather, the Applicants, per the suggestion of the Examiner, request withdrawal of the application from allowance so that additional references included in an accompanying IDS may be considered.

During prosecution of a cognate German application, the Applicants received an Office Action from the German Patent Office citing three references. These references do not appear to

Atty Docket No.: 10720/14
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have been considered during the prosecution of the U.S. application. In a discussion with the Examiner on December 09, 2004, the Examiner suggested the Applicants withdraw the application from allowance, file an RCE and submit an IDS listing the three references cited by the German Patent office.

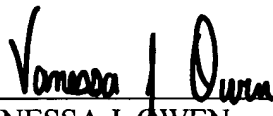
As such, the following is a listing of the documents submitted herewith:

- a) an IDS citing the three German references;
- b) a copy of each of the three references, in German (e.g. DE 4203588 A1, DE 69204000 T2, DE 4317867 A1);
- c) a copy of the German office action and an accompanying English translation of the German office action (submitted pursuant to MPEP section 609, III, A(3));
- d) a copy of U.S. Pat. No. 5,305,076 which relates to DE 4203588 A1, but is not necessarily a translation of DE 4203588 A1; and
- e) a copy of U.S. Pat. No. 5,138,163 which relates to DE 6920400 T2, but is not necessarily a translation of DE 6920400 T2.

The Applicants respectfully request consideration of the three new references.

Respectfully submitted,

Dated: 21 JAN 05



VANESSA J. OWEN
Reg. No. 44,274
BROWN RAYSMAN MILLSTEIN FELDER
& STEINER LLP
1880 Century Park East, Suite 711
Los Angeles, California 90067
(310) 712-8300